

SENATE BILL 612

By Cooper

AN ACT to amend Tennessee Code Annotated, Title 8; Title 16; Title 25; Title 29; Title 40; Title 41 and Title 67, relative to litigation taxes and court costs.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-25-121, is amended by deleting that section in its entirety and by substituting instead the following language:

40-25-121. In the event the court does not hold the state liable for the costs in any such cases when finally disposed of, it is the duty of the clerk to include all of the costs previously paid by the state on this account in the clerk's executions and the clerk's bill of costs, and to collect and promptly refund the same to the state, in the same manner as the clerk is required by law to pay over state revenue.

SECTION 2. Tennessee Code Annotated, Section 8-24-102(d), is amended by deleteing that subsection in its entirety and by substituting instead the following language:

(d) The population of counties, for purposes of this section, shall be determined by the 1990 federal census or the most recent succeeding federal census or a special census as provided in this subsection. A county may not move from one population classification to another except for a succeeding federal census or a special census. For

the purpose of moving from one population classification to another, each county may take not more than three (3) special censuses at its own expense at any time during the interim between the regular decennial federal censuses. Any such special census may be conducted in conjunction with a special census conducted by a municipality pursuant to Section 67-6-103. The special census shall be taken by the federal census bureau or in a manner directed by and satisfactory to the commissioner of economic and community development. The population of the county shall thereafter be revised in accordance with the special census, effective July 1 following certification of the census results by the federal census bureau or the commissioner of economic and community development to the secretary of state and the comptroller of the treasury.

SECTION 3. This act shall take effect July 1, 2001, the public welfare requiring it.